

ARMED OCCUPATION ACT.

MEMORIAL

OF THE

SETTLERS UNDER THE ARMED OCCUPATION ACT,

IN RELATION TO

Certain proposed amendments thereof.

MAY 3, 1848.

Referred to the Committee on Public Lands, and ordered to be printed.

To the honorable the Senate and House of Representatives of the United States of America in Congress assembled:

The petition of the subscribers, settlers in East Florida under the act of Congress, approved August 4, 1842, entitled "An act to provide for the armed occupation and settlement of the unsettled part of the peninsula of East Florida," respectfully sheweth: That the subscribers obtained their permits and settled upon the lands designated, under the impression that the tracts, as described in their permits, would be the same lands for which they would eventually obtain their patents; that they settled under the common and natural belief that the "quarter section" promised to each settler by the act had reference merely to the *quantity*, or to one hundred and sixty acres of land; and that they knew nothing of the technical construction which has been placed on this term (quarter section) by the department, and which will, in its application, work a vast amount of injury to the settlers on unsurveyed lands, inasmuch as they will not, under this rule, obtain the lands for which they were induced to make a settlement, in more than one case in fifty. In every case of settlement on unsurveyed land, the tract was required to be described as "particularly as may be practicable." But your subscribers now find that this particularity in the description becomes, by this rule, of no importance; for in whatever "quarter section" by the public surveys the *improvements* may chance to fall, this is the tract which the settler must take, although it may be nine-tenths water, swamp, or pine barren. Very few of the subscribers have settled upon the best soil or the richest portion of their tracts. Their tracts generally include a portion of pine land, for a healthy settlement; the rest of the tract extending into hammocks or richer lands. Should a quarter section or section line run between their settlements and the remainder of their tracts, as often happens, they lose all the land which induced them

to settle, and are obliged to take the quarter section which, it is true, includes their settlement, but which is of itself entirely worthless.

The subscribers therefore respectfully ask that they may be relieved from the injurious operation of the rule adopted by the department, and that they may be allowed to hold their lands as they are described, under the law, in their permits.

The subscribers would also respectfully represent, that in numerous instances, after the permit had been taken and the settlement made, it was found impossible to *reside* on the particular tract designated; often because no water could be obtained on the tract after numerous trials by digging wells; and sometimes from the unhealthiness of the location, many of the subscribers being at the time strangers to the country, and not knowing the fact that dense hammocks were unhealthy residences, and taking their entire tracts in such hammocks. They would now ask relief, and that personal residence on the tract may be dispensed with on condition of near residence, and of compliance with the law in regard to enclosing and cultivating the five acres on the tract, in order that they may reside in the vicinity where good water and healthy residences may be had.

And your petitioners, as in duty bound, will ever pray, &c.

Isham Crews

Bee Crews

Maxfield Whiton

Wilaby Whiton

Allin Godwinn

Seaborn Godwinn, sr.

Seaborn Godwinn, jr.

Robert H. Williams

Wm. D. Boulden

John Bobley

Ely T. Bobley

James Ellis

Thomas Tracy

Isaac Smith

Michael Shutz

Moses Horne

A. H. Brook

James Hall

Wiley Brook

J. E. Harrell

John Harrell

Samuel Geiger

Abraham Geiger

Malcom C. Peterson

Wm. B. Hooker

William Parker

John Parker

John I. Hooker

Thomas E. Beerow

Thomas H. Parsons

Wm. T. Brown

H. C. Wilson

Solomon Moody

Stanislaus Glimks

Joachim Romaer

Lemuel Wilson

Spencer Brooks

D. Reinhardt

A. B. Noyes

James Gibbins

A. Waterman

Jno. G. Reardon

George Hand

Thomas Whittirs

Joseph J. Knight

T. Hale

Robert D. Bradley

John Tucker

Wm. W. Tucker

John Wiggins

Richard Wiggins

Richard C. Wiggins

Daniel Wiggins

Wm. McKinney

Alexander Davis

Joseph Eaton

Thomas Fagan

James Baker

J. B. Baker

Mary Dorby

Elizabeth Ann Borry

J. W. Baker

James Hayman

Henry Hayman

Elias Hayman

Jerry Hayman

Britton Dixon
John Bassett
Malcom C. Peterson
Peter W. Law
Lasom McClellon
Jesse Carlile
John Alford
James A. Boyet
Edward Boyet, jr.
John Boyet
Edward Boyet, sr.
Nancy Cammel
William Taylor
Jeremiah Dodson
D. J. Thomas
Thomas C. Kittles
E. J. Knight
Charles Russell
John H. Cope
John C. Hope
John Baxter
John B. Allen
Elihu Clark
Wm. Davis
George Davis
Charlotte Davis
John Townsend
James Stephens
Edward Bird
Thomas Stanfield
Odett Phillippe
Henry E. W. Clark
J. H. Daln
James Garner
James H. Lytle
John Rodgers
Charles C. Tracy
Jno. B. Allen
A. H. Marble
L. B. Burnett
James Hearn
William Hearn
Henry Hearn
Wilson Bates
Wm. J. Knight
Robert Boalyer
Seth Howard
Jno. C. White
James Goff

Joseph Moore
Levi Coller
Uriah Q. Coller
James Bell
Wm. B. Hooker
James White
Rigan Brown
Thomas Gaskins
Rich. Fulford
S. Hollingsworth
Thomas Weeks
John Weeks, jr.
John Weeks, sr.
William Weeks
William Parker
John Parker
James Pearce
L. Pearce
S. B. Branch
W. D. Branch
Abraham Daniels
James M. Bates
Thomas Colding
H. A. Wickwill
John Waterston
James Robertson
R. J. Godwin
Solomon Godwin
J. Gawasen
Richard R. Crum
James Weeks
William Piles
J. W. Scott
P. Moody
W. D. Andrews
William Hope
David Hope
Edw. S. Aldrich
Samuel Johnson
Cyprian T. Jenkins
David Turner
Nancy Campbell
William Taylor
John Taylor
Patrick Welsh
Richard T. Harris
John McNeill
Moses Curry.

